

1 BILL NO. R-84-11- 40

2 RESOLUTION NO. R-

144-84

3 A RESOLUTION FINDING, DETERMINING  
4 AND RATIFYING AN INDUCEMENT RESOLUTION  
5 OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
6 AUTHORIZING THE ISSUANCE AND SALE OF  
7 \$2,000,000.00 ECONOMIC REVENUE BONDS OF THE  
CITY OF FORT WAYNE, INDIANA  
FOR THE PURPOSE OF INDUCING THE APPLICANT  
KESEF ASSOCIATES, AN INDIANA PARTNERSHIP  
TO PROCEED WITH THE ACQUISITION  
CONSTRUCTION AND EQUIPPING OF THE PROJECT

9 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is  
10 authorized by I.C. Sec. 36-7-12 (the "Act") to issue revenue  
11 bonds for the financing of economic development facilities, the  
12 funds from said financing to be used for the acquisition,  
13 construction and equipping of said facilities, and said facili-  
14 ties to be either sold or leased to another person or directly  
15 owned by another person; and

16 WHEREAS, Kesef Associates, an Indiana Partnership (the  
17 "Applicant") has advised the Fort Wayne Economic Development  
18 Commission and the Issuer that it proposes that the Issuer  
19 acquire and equip an economic development facility and sell  
20 and/or lease the same to the Applicant or loan proceeds of  
21 an economic development financing to the Applicant for the same,  
22 said economic development facility to be acquisition and renovation  
23 of an existing facility located at 2511 Taylor Street, Fort Wayne,  
24 Indiana, including acquisition of real estate and buildings for  
25 use as a manufacturing and industrial park including costs of  
issuance, located in Fort Wayne, Indiana (the "Project"); and

26 WHEREAS, the diversification of industry and an increase in  
27 25 full time and 5 part time jobs initially and 400 full time  
28 and 80 part time jobs within three years to be achieved by  
29 acquisition and construction and equipping of the Project will  
30 be of public benefit to the health, safety and general welfare  
31 of the Issuer and its citizens; and

1           WHEREAS, having received the advice of the Fort Wayne  
2 Economic Development Commission, it would appear that the  
3 financing of the Project would be of public benefit to the  
4 health, safety and general welfare of the Issuer and its  
5 citizens; and

6           WHEREAS, the acquisition and construction of the faci-  
7 lity will not have an adverse effect on any similar facility  
8 already constructed or operating in or about Fort Wayne,  
9 Indiana.

10          NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
11 THE CITY OF FORT WAYNE, INDIANA:

12          SECTION 1. The Common Council finds, determines, rati-  
13 fies and confirms the promotion of diversification of economic  
14 development and job opportunities in and near Fort Wayne,  
15 Indiana and in Allen County, is desirable to preserve the  
16 health, safety and general welfare of the citizens of the  
17 Issuer; and that it is in the public interest that Fort Wayne  
18 Economic Development Commission and said Issuer take such action  
19 as it lawfully may to encourage diversification of industry and  
20 promotion of job opportunities in and near said Issuer.

21          SECTION 2. The Economic Development Commission in  
22 recommending the project, found specifically that the project  
23 will not have an adverse competitive effect on similar facilities  
24 already constructed or operating in Allen County, Indiana, and  
25 the Common Council has also held a hearing and specifically finds  
26 that the project will not have an adverse competitive effect on  
27 similar facilities already constructed or operating in Allen  
28 County, Indiana.

29          SECTION 3. The Common Council further finds, deter-  
30 mines, ratifies and confirms that the issuance and sale of reve-  
31 nue bonds in an amount not to exceed \$2,000,000.00 of the Issuer  
32 under the Act for the acquisition, construction and equipping of

1 the Project and the sale or leasing of such a financing to the  
2 Applicant for such purposes will serve the public purpose  
3 referred to above, in accordance with the Act.

4 SECTION 4. In order to induce the Applicant to proceed  
5 with the acquisition, construction and equipping of the Project,  
6 the Common Council hereby finds, determines, ratifies and con-  
7 firms that (i) it will take or cause to be taken such actions  
8 pursuant to the Act as may be required to implement the afore-  
9 said financing, or as it may deem appropriate in pursuance  
10 thereof, provided that all of the foregoing shall be mutually  
11 acceptable to the Issuer and the Applicant; and (ii) it will  
12 adopt such ordinances and resolutions and authorize the execu-  
13 tion and delivery of such instruments and the taking of such  
14 action as may be necessary and advisable for the authorization,  
15 issuance and sale of said economic development bonds.

16 SECTION 5. All costs of the Project incurred after the  
17 passage of this Inducement Resolution, including disbursement or  
18 repayment of the Applicant of monies expended by the Applicant  
19 for planning, engineering, interest paid during construction,  
20 underwriting expenses, attorney and bond counsel fees, acquisi-  
21 tion, construction and equipping of the Project will be per-  
22 mitted to be included as part of the bond issue to finance said  
23 Project, and the Issuer will thereafter either sell or lease the  
24 same to the Applicant or loan the proceeds of such financing to  
25 the Applicant for the same purposes.

*Mark E. O'Donnell*

## COUNCILMAN

ADOPTED BY ECONOMIC DEVELOPMENT COMMISSION  
AND APPROVED AS TO FORM.

~~John J. Wernet, Attorney for the  
Economic Development Commission  
Dated this 26<sup>th</sup> day of Nov~~

APPROVED AS TO FORM AND LEGALITY.

Bruce O. Boxberger, City Attorney  
Dated this 26<sup>th</sup> day of Nov

Dated this 24<sup>th</sup> day of Nov, 1984.

Read the first time in full and on motion by Gia Quinta, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock M., E.S.

DATE: 11-27-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	—	—	—	—
<u>BRADBURY</u>	<u>✓</u>	—	—	—	—
<u>BURNS</u>	<u>✓</u>	—	—	—	—
<u>EISBART</u>	<u>✓</u>	—	—	—	—
<u>Gia Quinta</u>	<u>✓</u>	—	—	—	—
<u>HENRY</u>	<u>✓</u>	—	—	—	—
<u>REDD</u>	<u>✓</u>	—	—	—	—
<u>SCHMIDT</u>	<u>✓</u>	—	—	—	—
<u>STIER</u>	<u>✓</u>	—	—	—	—
<u>TALARICO</u>	<u>✓</u>	—	—	—	—

DATE: 12-11-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. Q-144-84  
on the 11th day of December, 1984.

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Boyle - A. E. Clark  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1984, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12 day of December, 1984, at the hour of 2:00 o'clock P. M., E.S.T.

Win Moses Jr.  
WIN MOSES, JR., MAYOR

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.S.

DATE: \_\_\_\_\_

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_,

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.S.T.

WIN MOSES, JR., MAYOR

BILL NO. R-84-11-40

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
ORDINANCE A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT  
RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING  
THE ISSUANCE AND SALE OF \$2,000,000.00 ECONOMIC REVENUE BONDS OF THE  
CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT  
KESEF ASSOCIATES, AN INDIANA PARTNERSHIP TO PROCEED WITH THE ACQUISITION  
CONSTRUCTION AND EQUIPPING OF THE PROJECT

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

MARK E. GIAQUINTA, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

JANET G. BRADBURY

THOMAS C. HENRY

DONALD J. SCHMIDT

*Janet G. Bradbury*

*Janet G. Bradbury*

*Thom C. Henry*

*Donald J. Schmidt*

CONCURRED IN 12-11-84  
SANDRA E. KENNEDY, CITY CLERK